

Senate Bill No. 1436

CHAPTER 234

An act to add Section 11541.5 to, and to add Article 14 (commencing with Section 11148) to Chapter 1 of Part 1 of Division 3 of Title 2 of, the Government Code, relating to small business development.

[Approved by Governor September 12, 2006. Filed with
Secretary of State September 12, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1436, Figueroa. Small business: state agency information.

Existing law generally sets forth the procedures for the adoption and enforcement of regulations by state agencies, including regulations affecting small businesses in the state.

Governor's Reorganization Plan No. 2 of 2005 establishes the Department of Technology Services, and sets forth the duties of the department in overseeing the technology services of the state.

This bill would require the department to create a link to state agency Web sites at the State of California Internet portal specifically for the use of small businesses in accessing information regarding startup requirements and regulatory compliance applicable to the particular business.

The bill would require each state agency that significantly regulates small business or significantly impacts small business, to designate at least one individual who shall serve as a small business liaison for the agency, with specified duties that include reviewing and updating content on the agency Web site that is accessible through the small business link at the State of California Internet portal, and assisting the agency secretary, department director, or executive officer in ensuring that the procurement and contracting processes of the applicable entity are administered in order to meet or exceed the 25% small business participation goal.

The people of the State of California do enact as follows:

SECTION 1. Article 14 (commencing with Section 11148) is added to Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, to read:

Article 14. Small Business Liaisons

11148. (a) It is the intent of the Legislature in enacting this article to assist small businesses in this state in complying with regulatory standards designed to protect the public.

(b) It is the further intent of the Legislature:

(1) That, to improve compliance results, information be provided by regulatory agencies by printed material or electronically, including at each agency's Internet Web site, to all small businesses, as defined for that purpose, that would state in clear, plain language the actions required to comply with the regulation.

(2) That each agency that significantly regulates small business designate at least one individual to serve as the small business liaison with the role and responsibility of ombudsman for that agency.

11148.5. (a) Each state agency that significantly regulates small business or that significantly impacts small business shall designate at least one person who shall serve as a small business liaison. The agency shall utilize existing personnel and resources to perform the duties of small business liaison.

(b) Each state agency that significantly regulates small business or that significantly impacts small business shall widely publicize the position of small business liaison in appropriate agency publications and on the agency's Web site if the agency has a Web site.

(c) The small business liaison shall be responsible for all of the following:

(1) Receiving and responding to complaints received by the agency from small businesses.

(2) Providing technical advice and assisting small businesses in resolving problems and questions regarding compliance with the agency's regulations and relevant statutes.

(3) Reporting small business concerns and, where appropriate, reporting recommendations to the agency secretary or to the agency head, as defined in Section 11405.50.

(4) Reviewing and updating, on a semiannual basis, content on the agency Web site that is accessible through the small business link provided on the State of California Internet portal pursuant to Section 11541.5.

(5) Assisting the agency secretary, department director, or executive officer, as applicable, in ensuring that the procurement and contracting processes of the applicable entity are administered in order to meet or exceed the 25 percent small business participation goal, and developing and sharing innovative procurement and contracting practices from the public and private sectors to increase opportunities for small businesses.

(d) The small business liaison shall not advocate for or against the adoption, amendment, or repeal of any regulation or intervene in any pending investigation or enforcement action.

(e) For purposes of this section, "small business" has the same meaning as set forth in Section 14837.

SEC. 2. Section 11541.5 is added to the Government Code, to read:

11541.5. (a) The Department of Technology Services shall create a link to state agency Web sites at the State of California Internet portal specifically for the use of small businesses, designed to assist entrepreneurs and small business owners in accessing information regarding startup requirements and regulatory compliance applicable to the particular business.

(b) For purposes of this section, “small business” has the same meaning as set forth in Section 14837.

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